United Nations S/2018/219

Security Council

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15 March 2018
English
Original: Arabic

Identical letters dated 13 March 2018 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to inform you that the Syrian Arab Republic objects to the Arria formula meeting that the Security Council convened on 12 March 2018 at the request of the delegations of France, the United Kingdom, the Netherlands and Poland. The theme of the meeting was "Implementing Syria's Cessation of Hostilities: Syria's Opposition Speaks". Following are the reasons for our objection:

- The United Nations is governmental organization, not a theatre for staging displays that distort the identity of the Organization. Accordingly, holding a meeting without consulting the affected Government is a grave violation of the Charter of the United Nations, international law and Security Council resolutions, all of which reaffirm the need to respect the principle of the sovereignty, independence and territorial integrity of States and the principle of non-interference in the internal affairs of States.

- Giving terrorist groups, including the so-called White Helmets, the opportunity to use the Security Council as a platform is a blatant violation of Council resolutions, in particular those that concern counter-terrorism. While the States that established and continue to fund this terrorist entity may try to whitewash its record, they will never change the fact that the members of the White Helmets are terrorists who primarily belong to the Nusrah Front organization, which the Security Council has designated a terrorist entity.

- The fact that the Governments of France and the United Kingdom, which have been supporting, whether directly or indirectly, terrorist groups in Syria, were the lead organizers of the meeting demonstrates that its purpose was to exploit the Security Council as a platform for mounting a campaign of lies against the Syrian Government and thus provide the terrorist groups with political and media protection to complement the military and logistical support that they receive from those two Governments, as well as certain other well-known Governments.

- If the Security Council truly wishes to learn what is going on in Syria, then it must invite some returning foreign terrorist fighters who are United Kingdom and French nationals to a public hearing of the Council, not an Arria formula hearing, so that they can explain how the Governments and intelligence agencies

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of those two States helped to recruit, train and arm them and then sent them to Syria in order to massacre the Syrian people.

The Government of the Syrian Arab Republic reiterates that it is imperative to respect the principles and purposes of the Charter of the United Nations and the working methods of the Security Council. The Council must not be used a platform to mount a campaign of misinformation against the Syrian Government, and thereby defame it. Moreover, the Council must pay no heed to fabricated and false information that comes from untrustworthy sources, such as the so-called Violations Documentation Centre in Syria and the Syrian American Medical Society. It should rely only on documented information provided by the Government of the Syrian Arab Republic.

I should be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2018/220

Security Council

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15 March 2018
English
Original: Russian

Letter dated 13 March 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith an information bulletin dated 13 March 2018 from the Russian Federation Ministry of Defence regarding the status of implementation of the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) V. **Nebenzia**

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Annex to the letter dated 13 March 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin from the Russian Federation Ministry of Defence regarding the status of implementation of the Memorandum on the creation of de-escalation areas (13 March 2018)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The situation in the de-escalation areas has been assessed as stable.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported 11 incidents of gunfire in the following Governorates: 6 in Ladhiqiyah, 3 in Aleppo and 2 in Damascus.

The Turkish representative office has reported 12 incidents of gunfire in the following Governorates: 6 in Damascus, 4 in Idlib and 2 in Dar'a.

Most of the incidents of mortars and small arms being fired indiscriminately have been reported in areas controlled by fighters belonging to terrorist groups.

Provision of humanitarian aid to the population of the Syrian Arab Republic

The Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has not carried out any humanitarian operations over the past 24 hours.

In total, 1,769 humanitarian operations have been carried out.

The total weight of humanitarian cargo delivered is 2,484.2 tons.

Safe passage was assured for a United Nations humanitarian convoy to Tall Shihab in Dar'a Governorate. The total weight of cargo delivered was 123 tons.

Over the past 24 hours, medical assistance has been provided to 81 residents.

In total, medical assistance has been provided to 73,305 residents.

Reconciliation of opposing sides

Over the past 24 hours three ceasefire agreements have been signed with Huwayz, Shari'ah and Huwayjah in Hama Governorate.

The number of populated areas that have joined the reconciliation process has increased to 2,434.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

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United States of America: draft resolution

The Security Council,

Recalling its previous resolutions 1996 (2011), 2046 (2012), 2057 (2012), 2109 (2013), 2132 (2013), 2155 (2014), 2187 (2014), 2206 (2015), 2223 (2015), 2241 (2015), 2252 (2015), 2302 (2016), 2304 (2016), 2327 (2016), and 2392 (2017), and statements by its President S/PRST/2014/16, S/PRST/2014/26, S/PRST/2015/9, S/PRST/2016/1, S/PRST/2016/3, S/PRST/2017/4, and S/PRST/2017/25,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity, and national unity of the Republic of South Sudan, and *recalling* the importance of the principles of non-interference, good-neighbourliness, and regional cooperation,

Reiterating its increasingly grave alarm and concern regarding the political, security, economic, and humanitarian crisis in South Sudan, and subsequent violence caused by the country's political and military leaders since December 2013, and *emphasizing* there can be no military solution to the situation in South Sudan,

Expressing deep alarm over the increasing scope of the violence across the country, *strongly condemning* armed clashes and violence involving the Sudan People's Liberation Army (SPLA), SPLA-In Opposition (SPLA-IO), SPLA-IO (Taban), and armed groups, *further condemning* in the strongest terms the ongoing fighting in violation of the 21 December 2017 "Agreement on Cessation of Hostilities, Protection of Civilians, and Humanitarian Access" (the ACOH), *welcoming* the rapid assessment of these violations by the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM), and *encouraging* the Intergovernmental Authority on Development (IGAD) to share reports with the Security Council rapidly,

Deeply regretting that the parties have disregarded its Presidential Statements of 23 March 2017 and 14 December 2017, most notably the provisions on adhering to a permanent ceasefire and allowing the unhindered delivery of humanitarian assistance to those in need, and *recalling* the 4 September 2016 Joint Communique by the Transitional Government of National Unity of South Sudan and United Nations Security Council Members and *regretting* its lack of implementation by the Government of South Sudan,

Welcoming the commitment and efforts of IGAD, the Joint Monitoring and Evaluation Commission (JMEC), the African Union (AU), the African Union Peace and Security Council (AUPSC), and the United Nations (UN) to continue engaging

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with South Sudanese leaders to address the current crisis, and *encouraging* their continued and proactive engagement,

Taking note of the 2015 "Agreement on the Resolution of the Conflict in the Republic of South Sudan" (the Agreement), IGAD-led High Level Revitalization Forum for the Agreement, and the ACOH, *calling on* South Sudanese parties to demonstrate the political will to peacefully resolve the conflict, and *stressing* that the IGAD High-Level Revitalization Forum is a unique window of opportunity, but equally a last chance for the parties to achieve sustainable peace and stability in South Sudan, and *noting* that timelines for the implementation schedule of the Agreement should be amended to reflect the need to create an environment conducive to post-transition elections,

Taking note of the communiqués of the 12 June 2017 31st Extraordinary Summit of the IGAD Assembly Heads of State and Government, the 20 September 2017 Ministerial of the African Union Peace and Security Council, the 60th Extraordinary Session of IGAD Council of Ministers on the Situation in South Sudan, and the 8 February 2018 African Union Peace and Security Council meeting on the Status on the Revitalization Process for the Agreement on the Resolution of the Conflict in South Sudan, as well as the 12 January Joint Statement by the Chairperson of the African Union and the Secretary-General of the United Nations on the Situation in South Sudan and the 27 January 2018 AU, IGAD, and the UN Consultative Meeting on the Republic of South Sudan Joint Statement, and *further taking note* that the AU, IGAD, and the United Nations Security Council demanded that parties that violate the ACOH must be held accountable,

Recalling its 14 December 2017 Presidential Statement that there must be costs and consequences for those who undermine the High Level Revitalization Forum process and to that end, *further recalling* that individuals or entities responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan, may be designated for targeted sanctions pursuant to resolution 2206 (2015), 2271 (2016), 2280 (2016), 2290 (2016), and 2353 (2017), including individuals who engage in attacks against United Nations missions, international security presences, or other peacekeeping operations, or humanitarian personnel and *recalling* its willingness to impose targeted sanctions,

Commending the work of the United Nations Mission in the Republic of South Sudan (UNMISS), *and stressing* the importance of effective engagement and liaison with local communities, as well as humanitarian actors, including through regular communication about the UNMISS mandate, including its planned actions and capacities, security threats and related information, both within and outside the Protection of Civilians sites, in order to fulfil UNMISS's Protection of Civilians mandate,

Recognizing that unarmed civilian protection can often complement efforts to build a protective environment, particularly in the deterrence of sexual and gender-based violence against civilians, and *encouraging* UNMISS, as appropriate and when possible, to explore how it can use civilian protection techniques to enhance its ability to protect civilians,

Recognizing the dire humanitarian situation and high levels of food insecurity in many parts of the country, and in this regard *noting* the importance of UNMISS's contribution to creating through coordination with humanitarian actors, displaced communities, and authorities the conditions for the safe, voluntary, and dignified return of IDPs and refugees, so that they may resume their livelihoods including the cultivation of land for food production,

Strongly condemning the continued obstruction of UNMISS by the Transitional Government of National Unity (TGNU) and opposition groups, including severe restrictions on freedom of movement, assault of UNMISS personnel, and constraints on mission operations, many of which were reported by the Secretary-General as violations of the Status of Forces Agreement (SOFA) by the TGNU,

Demanding that all parties, particularly the TGNU and the SPLA-IO, end all obstructions to UNMISS, including *inter alia* carrying out its mandate to monitor and investigate human rights,

Recalling its strong condemnation of all instances of attacks against civilians, including violence against women, children, and persons in vulnerable situations, ethnically targeted violence, hate speech, and incitements to violence, and *further expressing* deep concern at the possibility that what began as a political conflict could continue to transform into an outright ethnic war, as noted by the Special Advisor for the Prevention of Genocide Adama Dieng,

Strongly condemning all human rights violations and abuses and violations of international humanitarian law, including those involving extrajudicial killings, ethnically targeted violence, rape and other forms of sexual and gender-based violence, recruitment and use of children, enforced disappearances, arbitrary arrests and detention, violence aimed at spreading terror among the civilian population, targeting of members of civil society, and attacks on schools, places of worship, hospitals, medical facilities and transport, United Nations and associated personnel, and humanitarian personnel, by all parties, including armed groups and national security forces, as well as the incitement to commit such abuses and violations, *further condemning* harassment, targeting, and censorship of civil society, humanitarian personnel and journalists and *emphasizing* that those responsible for violations of international humanitarian law and violations and abuses of human rights must be held accountable, and that South Sudan's TGNU bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity,

Taking note of the UNMISS and Office of the High Commissioner for Human Rights report on the Freedom of Expression in South Sudan, *condemning* the use of media to broadcast hate speech and transmit messages instigating violence against a particular ethnic group, a practice that has the potential to play a significant role in promoting mass violence and exacerbating conflict, and *calling* on the Government of South Sudan to immediately condemn and counter increasing hate speech and ethnic violence and to promote reconciliation among its people, including through a process of justice and accountability,

Expressing grave concern at the findings of the Special Representative of the Secretary-General on Sexual Violence in Conflict of the systematic and widespread use of sexual violence as a tactic by parties to the conflict against the civilian population, particularly against women and girls in South Sudan,

Stressing the urgent need to end impunity in South Sudan and to hold accountable and bring to justice all perpetrators for violations of international humanitarian law and violations and abuses of human rights, and *further stressing* the importance of accountability, reconciliation and healing in ending impunity and ensuring a sustainable peace, and in this regard, sharing the concern of the AUPSC about the delays in establishing the Hybrid Court for South Sudan,

Taking note with interest of the reports on the human rights situation in South Sudan issued by UNMISS and the Secretary-General, as well as the report of the AU Commission of Inquiry on South Sudan and the Separate Opinion, *expressing* grave concern that according to some reports, including the AU Commission of Inquiry

report on South Sudan, released on 27 October 2015, there were reasonable grounds to believe that war crimes and crimes against humanity had been committed and the report of the Commission on Human Rights in South Sudan, released on 23 February 2018 that war crimes and crimes against humanity may have been committed, *emphasizing its hope* that these and other credible reporting will be duly considered by any transitional justice and reconciliation mechanisms for South Sudan including those established in the Agreement, *stressing* the importance of collection and preservation of evidence for eventual use by the Hybrid Court for South Sudan, and *encouraging* efforts in this regard,

Expressing serious and urgent concern over the more than four million displaced persons and deepening humanitarian crisis, including an estimated 5.3 million that face severe food insecurity according to the January 2018 Integrated Food Security Phase Classification report, which reflects a 40 percent increase from January 2017, and seven million in need of life-saving assistance, and that half of the country's children are out of school, *stressing* the responsibility borne by all parties to the conflict for the immense suffering of the people of South Sudan, including the destruction or damage to livelihoods and productive assets, *commending* United Nations humanitarian agencies, partners, and donors for their efforts to provide urgent and coordinated support to the population, and calling upon the international community to continue these efforts to meet the growing humanitarian needs of the people of South Sudan,

Condemning the obstructions by all parties to civilians' movement and to humanitarian actors' movement to reach civilians in need of assistance, *expressing concern* at the increasing ad hoc legislation, new taxes, and permits which are hampering the delivery of humanitarian assistance across the country, and *recalling the need for* all parties to the conflict to allow and facilitate, in accordance with relevant provisions of international law and United Nations guiding principles of humanitarian assistance, including humanity, impartiality, neutrality, and independence, the full, safe and unhindered access of relief personnel, equipment and supplies and timely delivery of humanitarian assistance, to all those in need, in particular to internally displaced persons (IDPs), and refugees,

Condemning all attacks against humanitarian personnel and facilities that resulted in the deaths of at least 98 personnel since December 2013, including the attack on the Terrain compound on 11 July 2016 and attacks against medical personnel and hospitals, *noting with alarm* the increasing trend of harassment and intimidation of humanitarian personnel, and *recalling* that attacks against humanitarian personnel and objects indispensable to the survival of the civilian population may amount to violations of international humanitarian law,

Expressing its deep appreciation for the actions taken by UNMISS peacekeepers and Troop- and Police-Contributing Countries in implementing the UNMISS mandate in a challenging environment, including in protecting civilians, including foreign nationals, under threat of physical violence and to stabilize the security situation within and beyond UNMISS sites, and *stressing* that any national caveat that negatively affects the implementation of mandate effectiveness should not be accepted by the Secretary-General, and *further highlighting* that lack of effective command and control, refusal to obey orders, failure to respond to attacks on civilians, inadequate equipment, and financial resources may adversely affect the shared responsibility for effective mandate implementation,

Welcoming the commitment of the Secretary-General to enforce strictly his zero-tolerance policy on sexual exploitation and abuse, *noting* the various measures taken by UNMISS and Troop- and Police-contributing countries to combat sexual exploitation and abuse, but still *expressing grave concern* over recent allegations of

sexual exploitation and abuse reportedly committed by peacekeepers in South Sudan, *stressing* the urgent need for Troop- and Police-contributing countries and, as appropriate, UNMISS, to promptly investigate those allegations in a credible and transparent manner and for those responsible for such criminal offences or misconduct to be held to account, and *further stressing* the need to prevent such exploitation and abuse and to improve how these allegations are addressed in line with resolution 2272 (2016),

Recognizing the significant resource and capacity challenges UNMISS faces in implementing its mandate, *expressing appreciation* for UNMISS's ongoing efforts to ensure the safety of IDPs seeking protection on its sites, while *recognizing* the importance of finding sustainable solutions for IDPs in keeping with the Guiding Principles on Internal Displacement, and *underlining* in this regard the need to extend its presence, including through proactive deployment and patrolling, to areas of displacement, return, and local integration,

Emphasizing that persistent barriers to full implementation of resolution 1325 (2000), and subsequent resolutions on women, peace, and security including 2242 (2015), will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making, and through ensuring that the full and effective participation and involvement of women in all spheres and levels of the political and peace process,

Expressing grave concern regarding the threats made to oil installations, petroleum companies and their employees, and urging all parties to ensure the security of economic infrastructure, *condemning* attacks on oil installations, petroleum companies and their employees, and any fighting around these facilities, and *urging* all parties to ensure the security of economic infrastructure,

Recalling its resolution 2117 (2013) and *expressing grave concern* at the threat to peace and security in South Sudan arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

Strongly condemning the attacks by government and opposition forces and other groups on United Nations and IGAD personnel and facilities, including the December 2012 downing of a United Nations helicopter by the SPLA, the April 2013 attack on a United Nations convoy, the December 2013 attack on the UNMISS camp in Akobo, the August 2014 shooting down of a United Nations helicopter by unidentified armed groups, the August 2014 arrest and detention of an IGAD monitoring and verification team, the October 2015 seizure and detention of UNMISS personnel and equipment in Upper Nile State by opposition forces, the February 2016 attack on the Malakal protection of civilians site, the July 2016 attack on the Juba protection of civilians site, and the Terrain Compound attack, the detention and kidnappings of United Nations and associated personnel, the repeated attacks on the UNMISS camps in Bor, Bentiu, Malakal and Melut, and the disappearance purportedly caused by SPLA forces, and deaths of three United Nations-affiliated national staff and one national contractor in Upper Nile State, and *calling upon* the Government of South Sudan to complete its investigations of these attacks in a swift and thorough manner and to hold those responsible to account,

Taking note of the reports of the Secretary-General pursuant to resolution 2304 (2016) paragraphs 16 and 18, and of resolution 2327 (2016) paragraphs 31 and 32, and the recommendations contained therein,

Determining that the situation in South Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that all parties immediately end the fighting throughout South Sudan, and *further demands that* South Sudan's leaders implement the permanent ceasefire declared in the Agreement and ceasefires for which they respectively called on 11 July 2016 and 22 May 2017, as well as the ACOH signed on 21 December 2017, and ensure that subsequent decrees and orders directing their commanders control their forces and protect civilians and their property are fully implemented;

2. *Demands* that the TGNU of South Sudan comply with the obligations set out in the SOFA between the Government of South Sudan and the United Nations, and immediately cease obstructing UNMISS in the performance of its mandate, and *further demands* the TGNU immediately cease obstructing international and national humanitarian actors from assisting civilians, and facilitate freedom of movement for the CTSAMM and *calls on* the TGNU to take action, to deter, and to hold those responsible to account for any hostile or other actions that impede UNMISS or international and national humanitarian actors;

3. *Expresses its intention* to consider all appropriate measures, as demonstrated by adoption of resolutions 2206 (2015), 2290 (2016), and 2353 (2017) against those who take actions that undermine the peace, stability, and security of South Sudan, *stresses* the sanctity of United Nations protection sites, *specifically underscores* that individuals or entities that are responsible or complicit in, or have engaged in, directly or indirectly, attacks against UNMISS personnel and premises and any humanitarian personnel, may meet the designation criteria, and in this regard *takes note* of the 20 February 2018 Special Report of the Secretary-General on the renewal of the mandate of the United Nations Mission in South Sudan (S/2018/143) that the steady re-supply of weapons and ammunition to South Sudan has directly affected the safety of UN personnel and UNMISS's ability to carry out its mandate, *takes note* of the AUPSC's 8 February 2018 communique which states that signatories to the ACOH should be deprived of the means to continue fighting, and *further expresses its intention* to consider all measures, including an arms embargo, as appropriate, to deprive the parties of the means to continue fighting and to prevent violations of the ACOH;

4. *Commends* the 18 October 2017 report by JMEC Chairperson Festus Mogae on the Status of Implementation of the Agreement for the period November 2015 to September 2017, *condemns* the lack of progress in implementing key provisions of the Agreement, especially those related to the permanent ceasefire, *underscores* that without a ceasefire and a fully inclusive peace process the implementation of certain other provisions of the Agreement, including constitution-making and post-transition elections, should not take place, notes the importance of the full and effective participation of youth, women, diverse communities, faith groups, and civil society in the peace process, and *calls upon* all parties to ensure women's full and effective representation and leadership in all conflict resolution and peacebuilding efforts;

5. *Decides* to extend the mandate of UNMISS until 15 March 2019;

6. *Decides* to maintain the overall force levels of UNMISS with a troop ceiling of 17,000 troops, which includes a Regional Protection Force at levels to be set by the Secretary-General but not to exceed 4,000, and maintaining the police ceiling of 2,101 police personnel, including individual police officers, formed police units and 78 corrections officers, *requests* the Secretary-General to take the necessary steps to expedite force and asset generation, *further takes note* with interest of the Secretary-General's intention to conduct a military and police capability study, and *expresses* its readiness to consider making the necessary adjustments on this basis to UNMISS including its Regional Protection Force;

7. *Decides* that the mandate of UNMISS shall be as follows, and *authorizes* UNMISS to use all necessary means to perform the following tasks:

(a) *Protection of civilians*:

(i) To protect civilians under threat of physical violence, irrespective of the source of such violence, within its capacity and areas of deployment, with specific protection for women and children, including through the continued use of the Mission's Child Protection and Women Protection Advisers;

(ii) To deter violence against civilians, including foreign nationals, especially through proactive deployment, active patrolling with particular attention to IDPs, including, but not limited to those in protection sites and refugee camps, humanitarian personnel and human rights defenders, and identification of threats and attacks against civilians, including through regular interaction with civilians and working closely with humanitarian, human rights and development organizations, in areas at high risk of conflict including, as appropriate, schools, places of worship, hospitals, and the oil installations, in particular when the Government of the Republic of South Sudan is unable or failing to provide such security;

(iii) To implement a mission-wide early warning strategy, including a coordinated approach to information gathering, monitoring, verification, early warning and dissemination, and response mechanisms, including response mechanisms to threats and attacks against civilians that may involve violations and abuses of human rights or violations of international humanitarian law, as well as to prepare for further potential attacks on United Nations personnel and facilities;

(iv) To maintain public safety and security of and within UNMISS protection of civilians sites;

(v) To deter and prevent sexual and gender-based violence within its capacity and areas of deployment, as highlighted in paragraph 41 of the Special Report of the Secretary-General of 10 November 2016 (S/2016/951);

(vi) To exercise good offices, confidence-building, and facilitation in support of the mission's protection strategy, especially in regard to women and children, including to facilitate the prevention, mitigation, and resolution of inter-communal conflict [through, *inter alia*, mediation] in order to foster sustainable local and national reconciliation as an essential part of preventing violence and long-term State-building activity;

(vii) To foster a secure environment for the eventual safe, voluntary, and dignified, return of IDPs and refugees including through monitoring of, ensuring respect for human rights by, and where compatible and in strict compliance with the United Nations Human Rights Due Diligence Policy (HRDDP), coordination with police services, security and government institutions, and civil society actors in relevant and protection-focused activities, such as sensitization to issues of sexual and gender-based violence and children and armed conflict as well as technical assistance or advice, within existing resources, on international humanitarian law, investigation and prosecution of sexual and gender-based violence and conflict-related sexual violence, as well as other serious human rights violations, in order to strengthen protection of civilians;

(b) *Creating the conditions conducive to the delivery of humanitarian assistance*:

(i) To contribute, in close coordination with humanitarian actors, to the creation of security conditions conducive to the delivery of humanitarian

assistance, so as to allow, the rapid, safe and unhindered access of relief personnel to all those in need in South Sudan and timely delivery of humanitarian assistance, in particular to IDPs and refugees, *recalling* the need for compliance with the relevant provisions of international law and respect for the UN guiding principles of humanitarian assistance, including humanity, impartiality, neutrality, and independence;

(ii) To ensure the security and freedom of movement of United Nations and associated personnel where appropriate, and to ensure the security of its installations and equipment necessary for implementation of mandated tasks;

(c) *Monitoring, and investigating human rights*:

(i) To monitor, investigate, verify, and report immediately, publicly, and regularly on abuses and violations of human rights and violations of international humanitarian law, including those that may amount to war crimes or crimes against humanity;

(ii) To monitor, investigate, verify and report specifically and publicly on violations and abuses committed against children and women, including those involving all forms of sexual and gender-based violence in armed conflict by accelerating the implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence and by strengthening the monitoring and reporting mechanism for violations and abuses against children;

(iii) To monitor, investigate and report on incidents of hate speech and incitement to violence in cooperation with the UN Special Adviser on the Prevention of Genocide;

(iv) To coordinate with, share appropriate information with, and provide technical support to international, regional, and national mechanisms engaged in monitoring, investigating, and reporting violations of international humanitarian law and human rights violations and abuses, including those that may amount to war crimes or crimes against humanity, as appropriate;

(d) *Supporting the Implementation of the Agreement and the Peace Process*:

To carry out, within its capabilities, the following tasks in support of the implementation of the Agreement and peace process:

(i) Using good offices to support the peace process, in particular the High Level Revitalization Forum for the Agreement;

(ii) Participating in and supporting the CTSAMM in implementation of its ceasefire monitoring and verification mandate, including through facilitating and supporting the CTSAMM in its implementation of monitoring and reporting of violations and overall effectiveness in identifying those responsible for these violations;

(iii) Actively participating in and supporting the work of the JMEC;

8. *Stresses* that the peace process only remains viable with the full commitment by all parties, *urges* all the parties to participate in the peace process in good faith in order to reach the compromises necessary for the peace and stability of South Sudan, *reminds* the parties that UNMISS shall only undertake those tasks related to the peace process as described in paragraph 7 (d); and *notes its intention* to keep the tasks and composition of UNMISS under active review, based on the possible outcomes of the High Level Revitalization Forum;

9. To advance in cooperation with the TGNU the safety and security of the people of South Sudan and to create an enabling environment for implementation of

the Agreement, *decides* that UNMISS shall continue to include a Regional Protection Force (RPF), *recalls* that per 2304 (2016) the RPF has the responsibility of providing a secure environment in and around Juba and in other parts of South Sudan as necessary, and *authorizes* the RPF to use all necessary means, including undertaking robust action where necessary and actively patrolling, to accomplish the RPF mandate, to:

(i) Facilitate the conditions for safe and free movement into, out of, and around Juba, including through protecting the means of ingress and egress from the city and major lines of communication and transport within Juba;

(ii) Protect the airport to ensure the airport remains operational, and protect key facilities in Juba essential to the well-being of the people of Juba, as identified by the Special Representative of the Secretary-General;

(iii) Promptly and effectively engage any actor that is credibly found to be preparing attacks, or engages in attacks, against United Nations protection of civilians sites, other United Nations premises, United Nations personnel, international and national humanitarian actors, or civilians;

10. *Affirms the* critical importance of the ability of UNMISS to use all of its bases without restrictions in order to execute its mandate including, but not limited to, its base in Tomping and in this regard, *calls on* the Government of South Sudan to uphold its obligations to guarantee UNMISS unimpeded access to United Nations premises per the SOFA;

11. *Recalls* its resolution 2086 (2013) and *reaffirms* the basic principles of peacekeeping, as set forth in Presidential Statement S/PRST/2015/22, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, *recognizes* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned, and that the Security Council expects full delivery of the mandates it authorizes;

12. *Emphasizes* that protection of civilians must be given priority in decisions about the use of available capacity and resources within the mission, *stresses* that UNMISS's mandate as set out in paragraphs 7 and 9 above includes authority to use all necessary means to protect United Nations personnel, installations and equipment to deter violence especially through proactive deployment and active patrolling including through regular interaction with civilians, to protect civilians from threats, regardless of source, to create conditions conducive to delivery of humanitarian assistance by international and national actors, and support implementation of the Agreement and peace process, and *stresses* that such actions include, but are not limited to, within UNMISS's capacity and areas of deployment, defending protection of civilians sites, establishing areas around the sites that are not used for hostile purposes by any forces, including by extending weapons free zones to UNMISS protection of civilians sites where appropriate, addressing threats to the sites, searching individuals attempting to enter the sites, and seizing weapons from those inside or attempting to enter the sites, removing from and denying entry of armed actors to the protection of civilians sites, and *welcomes* in this regard the intention of the Secretary-General to conduct a military and police capability study, as expressed in paragraph 52 of (S/2018/143), noting the relevance of reviewing the current model for providing security to the POC sites;

13. *Requests* and *encourages* the Special Representative of the Secretary-General to direct the operations of an integrated UNMISS and coordinate all activities of the United Nations system in the Republic of South Sudan, and to exercise his or her good offices to lead the UN system in South Sudan in assisting the JMEC, the AU, IGAD and other actors, as well as the parties, with implementation of the

Agreement and to promote peace and reconciliation, *underscores* in this regard the critical role of CTSAMM as well as the importance of the support provided to it by UNMISS in delivering on its mandate, and *reaffirms* in this regard the critical role that the UN plays, in coordination with regional organizations and other actors, to advance political dialogue between parties and contribute to achieving an enduring cessation of hostilities and lead the parties to an inclusive peace process;

14. *Requests* UNMISS to take fully into account gender considerations as a crosscutting issue throughout its mandate, reaffirms the importance of appropriate gender expertise and training in all missions mandated by the Security Council, and further encourages Troop- and Police-contributing Countries to take measures to increase the deployment of women in the military, police, and civilian components of the Mission;

15. *Requests* UNMISS to continue to intensify its presence and active patrolling in areas of high risk of conflict, high concentrations of IDPs and refugees, including as guided by its early warning strategy, in all areas, and key routes for population movement, to extend its presence, including through proactive deployment and patrolling, to areas of displacement, return, resettlement, and reintegration, in order to foster a secure environment for the eventual safe and voluntary return of IDPs and refugees, and to conduct regular reviews of its geographic deployment to ensure that its forces are best placed to fulfil its mandate;

16. *Recognizes* that the effective implementation of UNMISS mandate is the responsibility of all stakeholders and is contingent upon several critical factors, including well defined, realistic, and achievable mandates; political will, leadership, performance and accountability at all levels; adequate resources; policy, planning and operational guidelines and training; *further recognizes* that measuring and monitoring peacekeeping performance should be based on comprehensive and objective methodologies based on clear and well defined benchmarks; in this regard, and *welcomes* the initiatives undertaken by the Secretary-General to standardize a culture of performance in UN peacekeeping that operationalizes the Operational Readiness Assurance Policy, and conduct mission performance reviews of uniformed and civilian personnel, leverages the Peacekeeping Capabilities and Readiness System (PCRS) to ensure performance data informs decisions regarding peacekeepers deployment, and *calls on* him to continue his efforts in this regard;

17. *Recalls* its Presidential Statement S/PRST/2015/22 and its resolution 2272 (2016) and *requests* the Secretary-General to take all necessary measures to ensure full compliance of UNMISS with the United Nations zero tolerance policy on sexual exploitation and abuse and to ensure that all personnel of the mission are vetted for history of sexual misconduct in the service with the United Nations and to keep it informed through his reports about UNMISS's progress in this regard, and *urges* troop- and police-contributing countries to take appropriate preventative action including predeployment awareness training, and to promote full accountability in cases of such conduct involving their personnel;

18. *Requests* UNMISS to ensure that any support provided to non-United Nations security forces is provided in strict compliance with the HRDDP on United Nations Support to non-United Nations security forces;

19. *Requests* UNMISS to assist the Committee, within existing resources, established pursuant to paragraph 16 of resolution 2206 (2015) and the Panel of Experts established by the same resolution, *further urges* all parties and Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts and further urges all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in

particular to persons, documents and sites in order for the Panel of Experts to execute its mandate;

20. *Condemns* in the strongest terms attacks on and threats made to UNMISS personnel and United Nations facilities, as well as those of IGAD, *stresses* that such attacks may constitute violations of the SOFA and/or war crimes, *demands* that all parties respect the inviolability of United Nations premises and immediately desist and refrain from any violence against those gathered at United Nations facilities, *reiterates* that the TGNU is bound by the terms of the SOFA, and *further demands* the immediate and safe release of detained and kidnapped United Nations and associated personnel;

21. *Condemns* the clash that took place in Malakal in February 2016 and the fighting in Juba in July 2016, and *urges* the UN to continuously incorporate lessons learned to conduct reforms across UNMISS to better enable it to implement its mandate, in particular regarding the protection of civilians, and to improve UNMISS chain of command, increase the effectiveness of UNMISS operations, strengthen safety and security of personnel, and enhance UNMISS' ability to manage complex situations;

22. *Reiterates its request* that UNMISS continue to take measures, as appropriate, to ensure the security of its air operations in South Sudan and report thereon to the Council;

23. *Condemns* in the strongest terms attacks on and looting of humanitarian aid, including food and medicine, and premises, including hospitals and medical facilities and warehouses, and *demands* that all parties allow, in accordance with relevant provisions of international law and United Nations guiding principles of emergency humanitarian assistance, including humanity, impartiality, neutrality, and independence, the rapid, safe and unhindered access of relief personnel, equipment and supplies, and timely delivery of humanitarian assistance, to all those in need throughout South Sudan in particular to IDPs and refugees, *stresses* the obligation to respect and protect all medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities, *stresses* also that any returns or other durable solutions for IDPs or refugees must be undertaken on a voluntary and informed basis in conditions of dignity and safety, and notes that freedom of movement of civilians and their right to seek asylum should be respected;

24. *Further demands* that all parties immediately cease all forms of violence, human rights violations and abuses, violations of international humanitarian law, including rape and other forms of sexual and gender-based violence, and hold perpetrators accountable, in order to break the prevailing cycle of impunity;

25. *Condemns* all violations of applicable international law, including international humanitarian law and violations and abuses of international human rights committed by all parties to the conflict, in particular against children, *strongly urges* all parties to the conflict to implement the actions called for in The Conclusions on Children and Armed Conflict in South Sudan adopted by the Security Council Working Group on Children and Armed Conflict on 8 May 2015, including the immediate release of all children in their ranks, *welcomes* the recent release of children by some groups, *calls on* all armed groups to swiftly release other children in their ranks, *strongly urges* the Government of South Sudan to fully and immediately implement all provisions to the recommitment agreement to the revised action plan to end and prevent the recruitment and use of children in armed conflict and other violations, signed with the UN on 24 June 2014, and *further strongly urges* the SPLA-IO to fully and immediately implement its action plan to end and prevent the recruitment and use of children and the killing and maiming of children signed with

the UN on 7 January 2016, and *underlines* the importance of the Government of South Sudan providing timely and appropriate reintegration and rehabilitation assistance to children affected by armed conflict, while ensuring that the specific needs of girls as well as children with disabilities are addressed, including access to health care, psychosocial support, and education programmes that contribute to the well-being of children and to sustainable peace and security, and *calls on* the international community to assist these efforts;

26. *Strongly urges* the SPLA, SPLA-IO, and other armed groups to prevent further commission of sexual violence, *urges* the TGNU and the SPLA/IO to implement the joint and unilateral commitments and action plans they have made on preventing conflict-related sexual violence with focus on prevention, accountability, and enhancing assistance to victims, and *strongly urges* SPLA leadership to issue specific command orders regarding prevention of conflict-related sexual violence, and *demands* the TGNU show concrete steps to hold perpetrators within their ranks accountable for crimes of sexual violence;

27. *Underscores* that truth-seeking and reconciliation is essential for achieving peace in South Sudan and in this regard *stresses* that the Commission of Truth, Reconciliation and Healing, as stipulated in the Agreement, is a critical part of the peacebuilding process in South Sudan, to spearhead efforts to achieve national cohesion, promote peace, national reconciliation and healing;

28. *Takes note* of the steps taken by the African Union towards the setting up of the Hybrid Court for South Sudan as provided for under Chapter V of the Agreement, as well as the work done to date by the UN, *welcomes* the African Union's formal invitation for the UN to provide technical assistance towards the setting up of the Hybrid Court for South Sudan, and *requests* the Secretary-General to continue to make available technical assistance to the Commission of the African Union and to the TGNU in setting up the Hybrid Court for South Sudan and for the implementation of other aspects of Chapter V of the Agreement, including with regard to the establishment of the Commission for Truth, Reconciliation, and Healing;

29. *Takes note* of the 8 February 2018 African Union Peace and Security Council communique and in this regard *calls upon* the Government of South Sudan to sign without further delay the Memorandum of Understanding with the African Union to establish the Hybrid Court for South Sudan, and *further calls* on the international community to extend support to establishing the Hybrid Court for South Sudan;

30. Further *calls upon* the Government of South Sudan to move forward expeditiously and transparently to complete the ongoing investigations of allegations of human rights violations and abuses in a manner consistent with its international obligations, and *encourages* it to release the reports of those investigations;

31. *Further calls upon* the Government of South Sudan, while taking note of paragraph 3.2.2 of Chapter V of the Agreement, to hold to account all those responsible for violations and abuses of human rights and violations of international humanitarian law, and to ensure that all victims of sexual violence have equal protection under the law and equal access to justice, and to safeguard equal respect for the rights of women and girls in these processes, and *notes* that implementing holistic transitional justice measures, including accountability, truth-seeking and reparations, are key to healing and reconciliation;

Reports

32. Requests the Secretary-General to continue to report violations of the SOFA or obstructions to UNMISS on a monthly basis;

33. *Requests* the Secretary-General to report to the Security Council on implementation of the UNMISS mandate and the obstructions UNMISS encounters in doing so in a same comprehensive written report to be submitted within 90 days of the date of adoption of this resolution, every 90 days thereafter, and *underscores* that such reporting should include:

- reporting on progress in implementing the HRDDP,
- specific and detailed reporting on how UNMISS is working toward fulfilling its protection of civilian duties, including but not limited to troop responsiveness and performance and new patrol areas and proactive deployment,
- the consideration of gender as cross cutting throughout the mandate,
- the participation of women in peace processes,
- the steps taken to enhance the safety and security of UN personnel,
- the steps that have been taken to address performance concerns reflected in the reviews outlined in paragraph 16,
- strengthened reporting on human rights issues in South Sudan, and
- recommendations on the steps to adapt UNMISS to the situation on the ground;

34. *Requests* the Secretary-General to report, through his regular 90-day reports, on the technical assistance provided consistent with paragraph 28 above, *invites* the African Union to share information on progress made in the establishment of the Hybrid Court for South Sudan, with the Secretary-General to inform his report, and *expresses* the Security Council's intention upon receipt of the Secretary-General's reports to assess the work that has been done in the establishment of the Hybrid Court in line with international standards;

35. *Decides* to remain seized of the matter.